IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 5743 OF 2005

M/s. Lasons India Pvt. Ltd. & Ors ...Applicants

Versus

The State of Maharashtra & Anr ...Respondents

.....

Mr. Niranjan Mundargi, Advocate for Applicants.

Mr. V.B. Konde Deshmukh, A.P.P. for State.

.....

CORAM: SMT. V.K. TAHILRAMANI, J.

DATED: 8TH SEPTEMBER, 2005

P. C.:-

1. Heard the learned advocate for the applicants and the learned A.P.P. for the State.

2. The applicants have prayed for quashing of process issued against them in Criminal Case No. 4608/SS/2005 which is pending in the Court of learned Special Metropolitan Magistrate at Small Causes Court, Mumbai. In the said case, process has been issued against the applicants under Section 138 and 141 of Negotiable Instruments Act.

3. For the reasons recorded in my order dated 13th June, 2005 passed in Criminal Writ Petition No.213 of 2005 and order dated 21st June, 2005 passed in

Criminal Application No.550 of 2005, the applicants have an efficacious remedy of preferring revision against the order of Magistrate issuing process. Hence, in my opinion, it would be appropriate that the applicants prefer revision before the concerned Sessions Court against the order of the Magistrate issuing process.

4. Liberty is granted to the applicants to prefer revision before the concerned Sessions Court. The learned advocate for the applicants states that the necessary revision would be preferred within a period of four weeks from today. I am informed that the date before the trial court is 13.9.2005. In view of this statement, the trial court shall not proceed with the trial on 13.9.2005 and for a period of three weeks thereafter.

5. On the necessary revision being preferred by the applicants before the concerned Sessions Court, the concerned Sessions Court shall dispose of the same on merits after hearing necessary parties.

6. Application is disposed of.

*****